

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

David Allen Moon,)	Civil Action No. 1:20-cv-01184-JMC
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Kilolo Kijakazi,)	
Commissioner of)	
Social Security Administration,)	
)	
Defendant.)	
)	

This matter is before the court on Plaintiff David Allen Moon’s (“Plaintiff”) Motion for Attorney’s Fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d). (ECF No. 39.) Defendant responded to Plaintiff’s Motion and the parties agreed to a stipulation that Plaintiff should be awarded six thousand dollars (\$6,000.00) in attorney fees. (ECF No. 40.) After reviewing Plaintiff’s Motion and Defendant’s Response, the court finds that the stipulated request for fees is reasonable.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), EAJA fees awarded by this court belong to the litigant and are subject to the Treasury Offset Program, 31 U.S.C. § 3716 (2006). Therefore, the court directs that the fees be payable to Plaintiff and delivered to Plaintiff’s counsel. The amount of attorney’s fees payable to counsel will be the balance of stipulated attorney’s fees remaining after subtracting the amount of Plaintiff’s outstanding federal debt. *See* 31 U.S.C. § 3716. If Plaintiff’s outstanding federal debt exceeds the amount of attorney’s fees, the amount of attorney’s fees will be used to offset Plaintiff’s federal debt and no attorney’s fees shall be paid. (ECF No. 40 at 1–2.)

After a thorough review of Plaintiff's Motion and Defendant's Response, the court **GRANTS** Plaintiff's Motion for Attorney's Fees (ECF No. 39) and awards Plaintiff \$6,000.00 in attorney's fees.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 18, 2021
Columbia, South Carolina